

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANDREA FRANKIEWICZ and RUTH
PEREZ, individually and on behalf of a class of
similarly situated individuals,

Plaintiffs,

-against-

MANHATTAN CRYOBANK, INC., and
CNTP MCB, INC.,

Defendants.

1:20-cv-05157 (JLR)

ORDER

JENNIFER L. ROCHON, United States District Judge:

WHEREAS the Clerk of Court entered Certificates of Default against Defendants CNTP MBC, Inc. and Manhattan Cryobank, Inc. on September 10, 2020. ECF Nos. 21-22.

WHEREAS Plaintiffs moved for leave to file a motion for class certification and leave to take discovery prior to entry of default judgment on November 9, 2020 (ECF No. 23) and moved for class certification on December 14, 2020 (ECF No. 26).

WHEREAS, on June 22, 2021, the Court entered orders granting Plaintiffs' motion for leave to file a motion for class certification and for leave to take discovery prior to entry of default judgment and stating that the Court has conditionally certified a Class after Defendants' defaults. ECF Nos. 32-33.

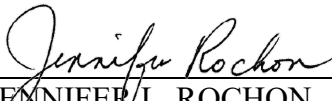
IT IS HEREBY ORDERED that Plaintiffs shall file a motion for class certification pursuant to Federal Rule of Civil Procedure ("Rule") 23 no later than **November 21, 2022**. Defendants shall file opposition, if any, by **December 12, 2022**. Plaintiffs shall file a reply, if any, by **December 19, 2022**.

IT IS FURTHER ORDERED that Plaintiffs shall file a motion for default judgment within 21 days after the motion for class certification is denied or, if the motion for class certification is granted, within 21 days after Rule 23(c)(2) notice is complete.

IT IS FURTHER ORDERED that Plaintiffs shall serve this Order on Defendants and file proof of service by **October 27, 2022**. Plaintiffs shall serve their class certification motion papers and motion for default judgment papers on Defendants at the time of filing and file proof of service within three business days thereof.

Dated: October 24, 2022
New York, New York

SO ORDERED.



JENNIFER L. ROCHON
United States District Judge